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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
MEDFORD DIVISION

KLAMATH-SISKIYOU WILDLANDS  
CENTER, OREGON WILD, CASCADIA  
WILDLANDS, and SODA MOUNTAIN  
WILDERNESS COUNCIL,

*Plaintiffs,*

vs.

UNITED STATES BUREAU OF LAND  
MANAGEMENT,

*Defendant.*

Civ. Case No. 1:19-cv-02069-CL

**FIRST DECLARATION OF JEANINE  
MOY**

I, JEANINE MOY, declare as follows:

1. I am a current member of Plaintiff organization Klamath Siskiyou Wildlands Center.
2. I currently reside at, and function as caretaker of, the property located at 16534 (Dead) Indian Memorial Road, hereafter referred to as “Vesper Meadow” located on Indian Memorial

Road. The Vesper Meadow property is located at T38S, R3E; Sec 15, SW ¼, Sec 16 SE 1/256, Sec 21 NE 1/4, Sec 22 NW ¼. My home is across the street from Owen's Road, and just a couple hundred feet south of Indian Memorial Road.

3. I am founder and Program Director of the Vesper Meadow Education Program (VMEP), a place-based program at Vesper Meadow, which engages a broad community of scientists, tribes, artists, non-profits, public schools, and other institutions for citizen science projects, habitat restoration, and environmental education. The VMEP provide public programs, classes, and volunteer opportunities related to restoration stewardship, scientific monitoring of rare and endemic flora and fauna, nature-inspired art, and revival of indigenous plant-food cultivation. These programs set VMEP apart from other environmental education programs specifically because they are place-based, temporally relevant to endangered species issues, engage students from kindergarten through college and the public, and are thus popular with broad audiences. VMEP's rare and endemic mammal program will collect citizen science data through wildlife camera trapping and photography, while engaging in conservation efforts with partners to collaborate for landscape connectivity throughout the Cascade-Siskiyou region.

4. Exhibit A attached to my declaration is the BLM's map of the Griffin Half Moon timber sale area with a purple circle indicating the location of my property. Exhibit B consists of photographs of representative volunteer activities that I organized in July and October 2019. I declare that the photos are true and accurate representations of what I observed at Vesper Meadow on July 21, 2019 and October 3, 2019.

5. As an example of the type of work that I am involved in at VMEP, I organized the annual visit of Siletz Tribal members to Vesper Meadow in October 2019, so that the Tribe could access traditional ancestral foods. An article published on the Siletz Tribe's web page is attached as

Exhibit C and is available at:

<http://www.ctsi.nsn.us/uploads/downloads/NewsPaper/Siletz%20News/October%202019%20-%20all.pdf> (Last visited February 12, 2020).

6. The integrity of local ecosystems and the renowned local biodiversity are foundational to my livelihood, as well as to my personal quality of life. In addition to VMEP programs, I regularly lead interpretive hikes for various local non-profits including Friends of the Cascade-Siskiyou National Monument; The Native Plant Society of Oregon, Siskiyou Chapter; and the Southern Oregon Land Conservancy. I have also volunteered for the local Bureau of Land Management (“BLM”) to help survey for the threatened Mardon skipper butterfly, and I organize collaborative volunteer efforts with BLM for such activities like noxious weed pulls and mending of cattle fences.

7. I have a deep connection to place that is linked to emotional, spiritual, and intellectual well-being. Through recreation, and study of this landscape, I derive a sense of place that influences my identity and social community. I often share in experiences with others such as regularly cross-country skiing along Owen’s Road and through Moon Prairie. Year-round, I engage in bird watching, as well as the direct observation of wildlife, insects, plants, and fungi. I often access open water for recreation in the summer by Hoxie Creek and the forest on the northeast side of Howard Prairie. In the warm months, I road bike around the region on paved and gravel BLM roads. In the summer and fall, I engage in wildcrafting for plant or fungi for personal use, which are resources of food and medicine that cannot be found commercially.

8. On December 1, 2017, I attended the BLM public field tour of the Griffin Half Moon proposed timber sale units. I was deeply dismayed to see proposed logging in locations that retain some of the oldest and largest trees in the area, and especially in known great gray owl

habitat that have been previously retained by the BLM as habitat buffers for known occupied great gray owl nests.

9. Restoration activities at Vesper Meadow are an effort to not only improve the onsite resources, but also to coordinate with neighboring landscapes to engage in habitat restoration and wildlife and plant monitoring as much as possible. There is widespread recognition in the scientific literature that for wildlife habitat to be sustained, especially with pressures of climate change, that there must be established corridors and increase landscape connectivity.

10. The Griffin Half Moon timber sale is a direct threat to ongoing local restoration activities for forest resiliency to climate change and high severity fire. Specifically, unit 15-2 has several trees over 200 ft. tall, which is one of only two places within a 15-mile radius of Vesper Meadow that has a few trees of this canopy class. Old growth forests are the greatest buffer to effects of climate change in this area, and are recognized as being the most resilient to forest fire. Removal of large fire resilient trees in the Griffin Half Moon units, such as those 20-39 inches in diameter at breast height, is counter to allowing forest conditions to become characteristic of old growth forest that is most resilient in the face of wildfire.

11. Proposed logging actions of the Griffin Half Moon timber sale are a direct threat to great gray owls as well as their following of bird watchers, photographers, scientists, and students. There are many people who regularly seek the experience of watching great gray owls, as the northern Dead Indian Plateau is prime habitat for them. A study by a graduate student at Southern Oregon University found “at least 30 great gray owl nest sites exist on the lands contained in the expansion of the Cascade Siskiyou National monument, as opposed to 4 previously. Because great gray owls exhibit particularly high rates of nest site fidelity on the Dead Indian Plateau (S. Godwin, pers. comm. 2016), protecting areas where great gray owls



have been detected in the past likely protects where they currently exist and where they are likely to exist in the future.” Emily Burke, *Habitat Differences between Native Great Gray Owls (*Strix nebulosa*) and Invasive Barred Owls (*S. varia*) on the Dead Indian Plateau of Southern Oregon*, 43 (June, 2017) (unpublished thesis presented to the Department of Biology of Southern Oregon University in partial fulfillment of the requirements for the degree of Master of Science in Environmental Education). I would be happy to provide a copy of this thesis to the court upon request.

12. I regularly communicate with people stopped along the local roadsides who travel widely from Washington, Oregon, and California to this area to birdwatch and specifically see the great gray owls. Regional ornithological institutions like the Klamath Bird Observatory and several Audubon chapters will make special group trips to Vesper Meadow and adjacent areas to catch a glimpse of this species

13. I have had the honor of observing an individual great gray owl on the Vesper Meadow property roughly seven times at the end of 2018 until early 2019, and have observed a pair of great gray owls twice in the spring of 2019, indicating possible consideration for nesting on the meadow property.

14. The VMEP property and my home are situated across the street from the “regeneration harvest” unit 15-2 and would be imminently and irreparably harmed if the proposed logging took place as proposed by the BLM. Both my personal safety, as well as my livelihood, are directly threatened by increased fire risk that the BLM acknowledges will result post-project, as well as increased human disturbance.

15. I am further specifically harmed by the removal of known great gray owl habitat adjacent to the VMEP property. Habitat connectivity is an essential element to the wildlife and plant

monitoring, stewardship, and education programs offered at VMEP. The removal of known great gray owl habitat will specifically and directly VMEP's programs for birders who travel from around the region to specifically seek out and observe this bird. Unique among neighboring areas of northern California and southern Oregon, the Cascade-Siskiyou region is renown among the birding community for great gray owls. The proposed Griffin Half Moon timber sale is a direct threat to VMEP's most popular bird watching program.

16. Lastly, I am specifically and directly harmed by the removal of Pacific fisher habitat within the logging units of the Griffin Half Moon timber sale. Pacific fishers require old growth forest characteristics such dense canopy closure, large diameter live trees (conifers and hardwoods) and snags (dead trees) with cavities and other deformities, large diameter down wood, and multiple canopy layers. The removal of this type of forest habitat near to Vesper Meadow is a direct threat to the programs I operate as described above.

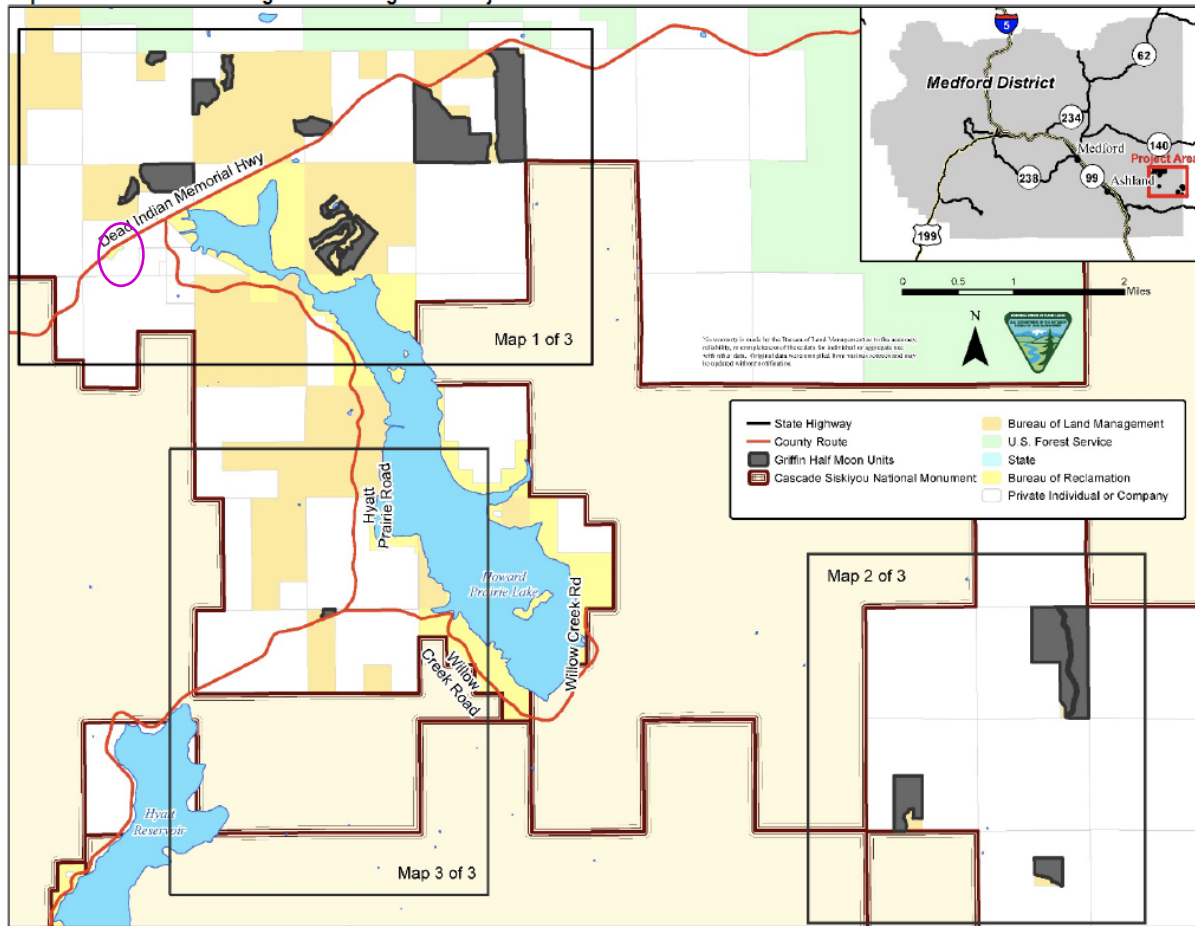
Dated: March 13, 2020.

Respectfully submitted,

/s/ Jeanine Moy.  
Jeanine Moy

# EXHIBIT A

Map 1-1: Griffin Half Moon Vegetation Management Project Area



Griffin Half Moon Vegetation Management Project

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Revised Environmental Assessment

Map of Griffin Half Moon timber sale planning area, with my property in a pink circle in the upper left hand corner.

# EXHIBIT B



Photo taken by Jeanine Moy on July 21, 2019. Adult volunteers, and partnering organizations partake in stewardship activities to restore the native plant community at Vesper Meadow.





Photo taken by Jeanine Moy on October 3, 2019. Students from Rogue River Middle School take a field trip to Vesper Meadow to participate in hands-on restoration and stewardship activities such as planting willow in-stream along the severely incised Dead Indian Creek for erosion control, wetland health, and downstream flows for fish.

# EXHIBIT C



# SILETZ NEWS

Confederated Tribes of Siletz Indians

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Siletz News  
Confederated Tribes of  
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P.O. Box 549  
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## 2018 Indian gaming revenue of \$33.7 billion shows a 4.1% increase

WASHINGTON – Vice Chair Kathryn Isom-Clause and Associate Commissioner E. Sequoyah Simermeyer of the National Indian Gaming Commission (NIGC) recently released the fiscal year 2018 gross gaming revenue numbers, which total \$33.7 billion, an overall increase of 4.1% over FY 2017.

The GGR for FY 2018 is the highest in Indian gaming history and unlike previous years, all of the NIGC's administrative regions experienced positive growth.

The Portland Region showed the highest growth, with an 8.2% increase, followed by the Oklahoma City Region with a 7.3% increase.

"The GGR calculation process is an example of the partnership between Tribes and the NIGC to ensure effective regulation for a successful Tribal gaming industry," said Isom-Clause. "These numbers reaffirm the industry's health as a stable economic driver for Indian Country."

Revenues are calculated based on 501 independently audited financial statements, composed of 241 federally recognized Tribes across 29 States. The GGR for an operation is calculated based on the amount wagered minus winnings returned to players.

"The annual GGR tells a positive story about Indian gaming's economic success and the industry's ongoing contribution to a strong economy. It also tells the story of how collaboration among Tribes, industry and the regulatory communities can build a strong reputation for reliability and integrity in the GGR calculation," said Simermeyer.

See Revenue on page 15



Courtesy photo by Ann Goddard

An unidentified youth carries the eagle staff during Run to the Rogue, the Siletz Tribe's annual 234-mile relay run/walk in memory of Tribal ancestors who were forcibly removed from their homelands in Rogue River country in the mid-1800s. See more photos on pages 9-12.

## Siletz Indian Fair at casino on Nov. 23

The Siletz Tribal Arts and Heritage Society (STAHS) is proud to present the 2019 Siletz Indian Fair on Saturday, Nov. 23.

Sponsored by STAHS in cooperation with the Siletz Tribal Culture Department, the fair will be held at Chinook Winds Casino Resort. The public is invited to attend this free event from 9 a.m. to 3 p.m.

The 2019 Indian Fair commemorates the 104<sup>th</sup> anniversary of the very first Indian Fair held in Siletz in 1915. It will be reminiscent of those earlier Indian Fairs as a time of sharing traditions, history and culture.

A wide array of items created by Native artists and craftspeople will be on display, including regalia, baskets and other art forms both historic and contemporary. Native vendors will have items for sale to help with some early Christmas shopping.

You are invited to join in this educational celebration of the rich culture and history of the Confederated Tribes of Siletz Indians.

STAHS is a nonprofit organization that was formed in 2011. Its mission is to support and promote the practice, conservation and restoration of the Tribal cultures of the Confederated Tribes of the Siletz Indians.

For more details, visit our website at [siletzartsheritage.org](http://siletzartsheritage.org), find us on Facebook at Huu-Cha~ or contact Angela Ramirez at [stahs.board@gmail.com](mailto:stahs.board@gmail.com).

## Vendors invited to participate in Indian Fair

Setup will be from 8-9 a.m. with take-down from 3-5 p.m.

The event will be divided into specific areas in the convention center, including a vendor area for those selling items and a roped off secure area away from other events taking place for the display of cultural items.

**All completed applications must be returned to STAHS, P.O. Box 8, Siletz, OR 97380 no later than Nov. 1, 2019, to be considered for a vending space.** A vendor's space will include a skirted eight-foot table and chair and the immediate space surrounding the table.

The event will be inside and lighted. Electricity will be available upon prior request. Vendor's spaces will be **free**,

however, vendors with items for sale are asked to donate one item to the silent auction. Assigned areas will be first-come, first-served.

If you have any special requests, they will be considered but not guaranteed. Until we know how many vendors we have, only one space can be guaranteed.

Please submit applications to: **Siletz Tribal Arts and Heritage Society (STAHS), P.O. Box 8, Siletz, OR 97380.**

For additional information, contact Angela Ramirez at [stahs.board@gmail.com](mailto:stahs.board@gmail.com).

Applications are available online at [siletzartsheritage.org](http://siletzartsheritage.org) or at the front desk of the Siletz Tribal admin building.





Courtesy photos by Kathy Kentta

Matt Garrett: "Tribal ceremony stuff was special to me because I never knew that stuff was still done today and I never got to experience it until I went on this trip."

Apolinar Howell: "We learned a lot about our people's traditional practices. It was an honor to connect with the land, the opportunity was nothing less than immersive. I enjoyed connecting with other youth in addition to getting to hold interesting dialogue with an important elder. All around it was fun and educational."



Courtesy photos by Jeanine Moy

Above: Joshley Howell, Sharla Strong and Corey Strong in a field of yampah

Below: Yampah root



## Youth help protect traditional foods through Healthy Traditions leadership camp

By Sharla Strong, Healthy Traditions Program Volunteer

I held my breath and watched, knowing what an honor it was to be a witness. I knew I should be taking pictures, but if I looked away for a moment, I would miss it. To some, it was a moment that may appear small, but for me, it was like watching history.

He smiled at us with shy eyes and said it tasted like a carrot. It could be that this was the first time in more than 150 years a Siletz youth had tasted this traditional food, commonly called yampah.

The July heat radiated from the dry cracked earth as the youth circled around to combine the seed they had gathered from the field and we thanked them for their hard work. This is important work. They may not quite understand it now at their young age, but they are healing the land and protecting our traditional foods for future generations and I am proud of them.

Healthy Traditions Project Coordinator Kathy Kentta worked for a year to plan and fund the Youth Leadership Camp where youth collected seeds of traditional foods, learned about environmental pro-

tection from a Siletz elder and learned about the Jordan Cove LNG Export Terminal and Pipeline proposal that would impact our cultural resources.

The Youth Leadership Camp started at Vesper Meadow, located east of Ashland, Ore. Jeanine Moy, director of the Vesper Meadow Restoration and Education Program, took the youth on a tour of the Vesper Meadow property where youth saw wildlife and learned about different restoration projects being done throughout the area.

Vesper Meadow is located near the headwaters of Dead Indian Creek and also the headwaters for two major northwest Pacific Coast watersheds: the Rogue River and Klamath River basins. Shasta, Takelma, Molala and Latgawa ancestors likely could have visited and gathered foods within this area.

In testimony from elder Molly Orton documented in 1933 by ethnographer John Peabody Harrington, she describes a favorite camas gathering place that has a likeness to Vesper Meadows. Youth assisted with camas seed collection, which is an important aspect of restoring our traditional food population and the youth learned about protecting plant

diversity by planting seed near where it was collected.

Camas is a common food for Tribes of the Pacific Northwest and has many different names from different Tribal languages. The Siletz Dee-ni language name is gus, pronounced like "goose."

For thousands of years, camas meadows were managed by local Tribes and grew in great abundance. Caucasian explorers Lewis and Clark made notes on many plants in their travels and the distinct blue/violet flower color of camas was noted by Lewis:

"The quawmash (Chopunnish word for camas) is now in blume and from the colour ... at a short distance it resembles lakes of fine clear water, so complete is this despection that on first sight I could have sworn it was water." Meriwether Lewis, June 12, 1806

On one of the afternoons, Siletz Tribal elder Grandma Agnes Baker Pilgrim, and her daughter, Nadine Martin, joined the youth for lunch. Grandma Aggie just celebrated her 95<sup>th</sup> birthday and also recently received the President's Award from

Southern Oregon University's president, Dr. Linda Schott.

The youth introduced themselves to Grandma Aggie and they enjoyed hearing how she knew their families and grandparents. Jon Duarte shared that, "She reminded me of my grandma."

Grandma Aggie's visit added a richness to the educational experience by sharing about her work on environmental protection and especially about the need to take care of our water. It is especially inspiring for youth to see an elder doing work to improve the world and she called on the youth to take care of each other and to speak kind words.

Many of the youth had great things to say about what they learned from Grandma Aggie. Nevaeh Jackson said, "Grandma Aggie taught us that we are all born water babies."

Grandma Aggie spoke about the importance of water and how we are all born "water babies" in our mother's belly and it is from water that we are born and how all life is sustained. She said we need to be thankful to water, even when we are using small amounts of water for washing.



Courtesy photos by Kathy Kentta

Tre Jackson: "I learned a lot about my culture and the past and I am thankful I was able to go."



Yampah seeds



Courtesy photo by Jeanine Moy

Front row: Kathy Kentta, Agnes Pilgrim and Nadine Martin

Middle row: Brandon Larrabee, Felisha Howell, Nevaeh Jackson, and Maranda Garrett

Back row: Corey Strong, Jacob Reid, Luke Garrett, Tre Jackson, Jon Duarte, Sharla Strong, Matt Garrett, Apolinar Howell, Shadow Jackson and Joshley Howell



Joshley Howell: "Our people are strong and so are we."

Grandma Aggie is one of the International Council of Thirteen Indigenous Grandmothers and travels the world promoting environmental causes. As a gift, the youth dug Yampah roots to give to Grandma Aggie and Nadine and gave them necklaces.

The group received a visit from Rogue Climate representatives and learned about local community organizing efforts to stop a potential LNG pipeline project. The Siletz Tribal Council passed a resolution in March in opposition to the proposed 229-mile liquefied natural gas pipeline and the Jordan Cove LNG export facility in Coos Bay, Ore.

Hannah Sohl, director of Rogue Climate, and Isabella Tibbetts, No Pipeline Fellow of Rogue Climate and Honor the Earth, did a presentation on the long fight to stop the Jordan Cove LNG pipeline and terminal. The youth assisted with writing statements to be submitted in support of protecting ancestral waters.

Many traditional Tribal territories, cultural resources and burial grounds are threatened by the pipeline. The Siletz, Klamath, Karuk and Yurok Tribes

have all come out in strong opposition to the pipeline.

The youth also collected seed near Lower Table Rock, located north of Medford, Ore. Much of the land around Table Rock has been managed as agricultural property and some wild plants are being protected through conservation on slopes.

The youth group joined Molly Morison with The Nature Conservancy and a few local volunteers to collect seed that will be processed, saved and stored through the Siletz Tribes' participation in the Rogue Native Plant Partnership. This partnership is successfully rescuing native plants in the region from disappearing from the landscape.

Our purpose in visiting the site was to salvage seeds for relocation to another local site due to upcoming construction of a power substation by Pacific Power on that property. The youth joined volunteers from the Rogue Native Plant Partnership to collect seed that will be saved for future planting at another site protected from construction.

Lower Table Rock is the location of one of the Confederated Tribes of Siletz's

treaty signings in 1853. Felisha Howell shared that, "Being able to come home and experience the beautiful land our people once lived on was an unforgettable moment. We finally got to come home, something our ancestors never had the chance to do."

The dry climate of our Southern Oregon ancestral homelands is dramatically different from the cold and foggy Oregon Coast climate. When our ancestors were removed to the Siletz Reservation, they could no longer access some foods because they did not naturally occur within the reservation boundary, such as yampah root. It is only in recent times that our Tribal families have been able to return to our homelands and reunite with these foods.

When asked why educational trips like this are important, Shadow Jackson said, "Because if the youth don't learn now everyone will forget and won't be able to learn."

In our Nee-dash ceremony, our families pray for our traditional foods and it fills my heart to see our youth finally able to know these foods and nourish their

bodies like our ancestors. Apolinar Howell shared that, "It was an experience that transcends just our physical senses. It was healing on a spiritual level. I felt like our ancestors were watching over us."

Our ancestors ate these foods for thousands of years and were incredibly healthy. It gives me hope that someday we will be able to protect gathering places so more of our Tribal people and families will have access to these foods.

The Healthy Traditions Youth Leadership Camp was coordinated in conjunction with the Native STAND Youth Group. Native STAND (Students Together Against Negative Decisions) is a prevention curriculum that has been hosted by the Siletz Community Health Clinic for nearly a year and will finish in October.

Native STAND is coordinated by the Siletz Prevention, Tobacco Prevention, Youth Development, Community Health and CARE programs. We would like to thank the youth and staff who supported the mission of Healthy Traditions to restore our traditional foods culture.